IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

SUIT NO. 243 OF 1995

Armour Biotech Private Ltd. Plaintiff
vs.
RCB International Ltd. & ors. Defendant

Ms.Kumud Bhatia for the plaintiff.

Mr.G.B.Kedia for defendant no.2.

Mr.A.Daver i/b.M/s.Crawford Bayley & Co. for defendant no.3.

CORAM : ANOOP V. MOHTA,J.

DATED : 14th March 2007

P.C.

The learned counsel appearing for the plaintiff seeks to withdraw the present Suit basically on the foundation that an interim order dated 23.1.1995 passed in the Notice of Motion No.325/1995 in the Suit in question has been confirmed by order dated 5th March, 1997. The prayer clause is as under:

> "(a) that pending the hearing and final disposal of the suit, this Hon'ble Court may be pleased to restrain by an order and injunction of this Hon'ble Court the 4th defendants from in any manner demanding or recalling and the 3rd defendants from in any manner paying or refunding any amount paid under the letter of credit dated 23rd March, 1994 Exhibit B hereto."

2. As the above order has been complied with and there is no challenge made to th same by the parties, therefore, the learned counsel for the plaintiff seeks permission to withdraw the Suit.

3. The learned counsel for defendants 2 and 3 have no objection for such withdrawal. None appears for defendants 1 and 4.

4. In view of this, present Suit is disposed of as withdrawn. Court fee, if any, be refunded in accordance with law.

[ANOOP V. MOHTA,J.]